

SUBSTITUTE TRUSTEE'S DEED

4/10/08 11:43:27 SS  
BK 582 PG 172 SS  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned, and covering certain real estate hereinafter described located in Desoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:

GRANTORS	DATE EXECUTED	TRUST DEED BOOK	PAGE
Darrel W. Stacy and wife, Julie B. Stacy	April 7, 1980	257	593
Peggy D. Hoover	March 24, 1986	361	245

The indebtedness secured by the Deed of Trust dated April 7, 1980 and executed by Darrel W. Stacy and Julie B. Stacy was assumed by Peggy D. Hoover by Warranty Deed dated March 24, 1986 and recorded in the office of the aforesaid Chancery Clerk in Deed Record Book 185 at Page 413 and with Assumption Agreement dated March 24, 1986.

And default having been made in the payment of said indebtedness;

And the United States of America, as Beneficiary, having authorized and instructed the Substitute Trustee to foreclose said deed(s) of trust by advertisement and sale at public auction as required by law;

The said Substitute Trustee caused a due notice to be published in the Desoto Times Today, a newspaper published in the City of Hernando, said County and State, and on February 28, 2008, posted alike notice on the bulletin board of the County Courthouse in Hernando, Mississippi, that certain lands herein after described would on March 24, 2008, be sold at public auction at the East front door of said Courthouse to the highest bidder for cash by virtue of the authority vested in the said Substitute Trustee by said deed(s) of trust, which said notice was published in said newspaper in the issues February 28, March 6, March 13, and March 20, 2008.

And said lands having been sold by said Substitute Trustee on March 24, 2008, within legal hours (being between the hours of 11:00 AM and 4:00 PM), in the manner prescribed in and by said deed(s) of trust and in accordance with the laws of the State of Mississippi, and at the place aforesaid in pursuance of said notice, offered for sale at public auction to the highest bidder for cash, and

O'S REALTY  
having been the highest bidder therefore and having bid the sum of FORTYSEVEN THOUSAND AND SIX HUNDRED 00/100 Dollars (\$ 47,600.00 ), the said O'S REALTY was duly declared the purchaser thereof.

NOW, THEREFORE, in consideration of the sum so bid, I, Curtis B. Breland, as Substitute Trustee, do hereby convey and sell to the said O'S REALTY

the following described land situated in Desoto Co 11/07/08/9:29 ssippi, to-wit:

BK 597 PG 348 SS  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

(SEE ATTACHED LEGAL DESCRIPTION)

*Obrien e*

being the same property described in said deed(s) of trust and the same property sold and purchased at said sale.

I, Curtis B. Breland, Substitute Trustee, convey only such title as is vested in me as Substitute Trustee.

IN WITNESS WHEREOF, I have caused these presents to be signed the 26<sup>th</sup> day of March, 2008.

Curtis B. Breland  
Curtis B. Breland  
Substitute Trustee  
Duly authorized to act in the premises by instrument dated August 3, 2004, and recorded in Book 1, Page 36, of the records of the aforesaid County and State.

# ACKNOWLEDGEMENT

STATE OF MISSISSIPPI )  
 ) SS:  
COUNTY OF DESOTO )

Personally appeared before me, Jacqueline K James, a notary public in and for the County and State aforesaid Curtis B. Breland, Substitute Trustee, who acknowledged that he signed and delivered the foregoing Substitute Trustee's Deed on the day and year therein mentioned.

Given under my hand this 26<sup>th</sup> day of March, 2008.

( S E A L )

My Commission Expires:

September 18, 2010

Jacqueline K James  
NOTARY PUBLIC

Grantor: Curtis B. Breland, Substitute Trustee for the United States of America; 3260 Hwy. 51 South; Hernando, Mississippi 38632; telephone: (662) 429-8687.

Grantee: O'S REALTY P. O. BOX 163 SOUTHAVEN, MS 38671 (901) 517-3213

Lot 688, Section D, Twin Lakes Subdivision in Section 6, Township 2 South, Range 8 West, as shown of record in Plat Book 10, Pages 32-33 in the office of the Chancery Clerk of DeSoto County, Mississippi.

AFFIDAVIT OF FORECLOSURE PROCEEDINGS

STATE OF MISSISSIPPI            )  
   )SS:  
 COUNTY OF DESOTO                )

Curtis B. Breland, being first duly sworn on oath, deposes and says that on February 28, 2008, as Substitute Trustee, he posted a copy of the Notice annexed to the foregoing Publisher's Affidavit on the bulletin board of the County Courthouse in Hernando, Mississippi; that further, he was authorized and instructed by the Beneficiary to foreclose certain deed(s) of trust by advertisement and sale; that he acted as auctioneer for the sale of the premises described in the notice annexed to the foregoing Publisher's Affidavit and that pursuant to such Notice of Sale, he sold said premises at public auction at the place and at the time of sale mentioned therein, to wit: At the hour of 11:00 AM on March 24, 2008, at the East front door of the County Courthouse in the aforesaid County where said premises are situated; and that said premises were then and there purchased by

**O'S REALTY**

for the sum of \$ 47,600.00, said purchaser being the highest bidder, and said sum being the highest sum bid; and deponent further says that said sale was conducted fairly, honestly, and according to the terms of said deed(s) of trust and the laws of the State of Mississippi, and that to the best of his knowledge and belief, the Grantor(s) are not members of the Armed Services of the United States of America.

  
 \_\_\_\_\_  
 Curtis B. Breland

Subscribed and sworn to before me this 26<sup>th</sup> day of March, 2008.

( S E A L )

  
 \_\_\_\_\_  
 NOTARY PUBLIC

My Commission Expires:

September 18, 2010

## PROOF OF PUBLICATION

THE STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Diane Smith personally appeared before me the undersigned in and for said County and State and states on oath that she is the **CLERK** of the DeSoto Times Today, a newspaper published in the town of Hernando, State and County aforesaid, and having a general circulation in said county, and that the publication of the notice, a copy of which is hereto attached, has been made in said paper 4 consecutive times, as follows, to-wit:

**NOTICE OF SALE**  
WHEREAS, the United States of America, acting by and through the United States Department of Agriculture, is the owner and holder of the following real estate deed(s) of trust, securing an indebtedness therein mentioned and covering certain real estate hereinafter described located in Desoto County, Mississippi, said deed(s) of trust being duly recorded in the Office of the Chancery Clerk in and for said County and State:

**GRANTORS:**  
Darrel W. Stacy and wife, Julie B. Stacy

**DATE EXECUTED:**  
April 7, 1980

**TRUST DEED BOOK:** 257

**PAGE:** 583

**GRANTORS:**  
Peggy D. Hoover

**DATE EXECUTED:**  
March 24, 1988

**TRUST DEED BOOK:** 361

**PAGE:** 245

The indebtedness secured by the Deed of Trust dated April 7, 1980 and executed by Darrel W. Stacy and Julie B. Stacy was assumed by Peggy D. Hoover by Warranty Deed dated March 24, 1988 and recorded in the office of the aforesaid Chancery Clerk in Deed Record Book 185 at Page 413 and with Assumption Agreement dated March 24, 1988.

WHEREAS, default has occurred in the payment of the indebtedness secured by said deed (s) of trust, and the United States of America, as Beneficiary, has authorized and instructed me as Substitute Trustee to foreclose said deed (s) of trust by advertisement and sale at public auction in accordance with the statutes made and provided therefor.

THEREFORE, notice is hereby given that pursuant to the power of sale contained in said deed(s) of trust and in accordance with the statutes made and provided therefor, the said deed(s) of trust will be foreclosed and the property covered thereby and hereinafter described will be sold at public auction to the highest bidder for cash at the East front door of the County Courthouse in the city of Hernando, Mississippi, in the aforesaid County and will begin within legal hours (beginning between the hours of 11:00 AM and 4:00 PM) on March 24, 2008, to satisfy the indebtedness now due under the said deed(s) of trust.

Volume No. 113 on the 28 day of Feb., 2008

Volume No. 113 on the 6 day of Mar., 2008

Volume No. 113 on the 13 day of Mar., 2008

Volume No. 113 on the 20 day of Mar., 2008

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2008

Volume No. \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2008

Diane Smith

Sworn to and subscribed before me, this 20 day of Mar., 2008

BY Judy H. Douglas

NOTARY PUBLIC STATE OF MISSISSIPPI AT LARGE  
MY COMMISSION EXPIRES: JANUARY 16, 2009  
BONDED THRU DIXIE NOTARY SERVICE, INCORPORATED

A. Single first insertion of 438 words @ .12 \$ 52.56

B. 3 subsequent insertions of 1314 words @ .10 \$ 131.40

C. Making proof of publication and depositing to same \$ 3.00

TOTAL PUBLISHER'S FEE: \$ 186.96

I will convey only such title as is vested in me as Substitute Trustee.

The premises to be sold are described as:

Lot 688, Section D, Twin Lakes Subdivision in Section 6,

Township 2 South, Range 8 West, as shown of record in

Plat Book 10, Pages 32-33, in the office of the Chancery Clerk of DeSoto County, Mississippi.

Date February 28, 2008

/s/Curtis B. Breland

Curtis B. Breland

Substitute Trustee

Duly authorized to act in the premises by instrument dated August 3, 2004, and recorded in Book 1, Page 36, of the records of the aforesaid County and State.

2/28/08, 3/04/08, 3/13/08, 3/20/08